

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 30TH DAY OF JUNE 1998

BEFORE

THE HON'BLE M R. JUSTICE H.L. DATTU

WRIT PETITION NO. 32408/1994.

BETWEEN:

Y.B.H. Shivayogi,
S/o. Y. Basavarajaiah,
Age: Major, r/o. Bagur,
Hosadurga District.

: PETITIONER

(Sri. V. Lakshminarayana for Petitioner)

AND:

1. The State of Karnataka,
rep. by its Secretary,
Education Department,
M.S. Building, Bangalore.

2. The Director of
Collegiate Education,
Palace Road, Bangalore.

3. The Principal,
Kalpataru Science College,
Tiptur.

: RESPONDENTS

(Sri. S. Udayashankar, AGA, for R-1 & 2
R-3 sd.)

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This Writ Petition filed under Articles 226 & 227 of the Constitution of India with an affidavit praying to direct the respondents to consider the case of the petitioner for continuance as Lecturer in Kannada in R-3 College forthwith and etc.,

This Writ Petition coming on for hearing this day, the Court made the Court made the following:

O R D E R

Petitioner in this writ petition is staff working in aided private educational institutions.

He is before this court interalia seeking directions to the respondents to accord certain service benefits including monetary benefits.

In my view, these reliefs cannot be granted by this court in view of the observations made by a Division Bench of this court in W.A.Nos.1833 to 1836/1995 disposed off on 30.5.1998.

This court while considering the issue whether the staff (Teaching and non-teaching) working in educational institutions run by private management

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can maintain writ petitions to claim financial aid from the State Govt. in the absence of Master and Servant relation and other incidental issues, was pleased to observe that the writ petitions filed by teaching and non teaching staff of private educational institutions are not maintainable before this court.

Respectfully following the observations made in the aforesaid decision, this petition is disposed off as not maintainable before this court for the reliefs sought therein. However, liberty is reserved to the petitioner to approach the proper forum as suggested by this court in the aforesaid decision. Ordered accordingly.

Sd/-Judge.

T. by: JL

R. by: *L. 7/10/08*

C. by: *V.*

COPY

[Signature]
Assistant Registrar
High Court of Karnataka
Bangalore - 560 001.

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